

26 legal tender;
 27 ▶ addresses a sales and use tax exemption for certain currency or coins;
 28 ▶ addresses the remittance of sales and use taxes on certain transactions involving
 29 specie legal tender; ~~H→~~ and

30 [~~————▶ addresses the construction of a statute involving legal tender; and~~] ~~←H~~

31 ▶ makes technical and conforming changes.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 This bill provides an effective date.

36 This bill provides for retrospective operation.

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39 **13-32a-103.5**, as enacted by Laws of Utah 2009, Chapter 272
- 40 **59-1-1501**, as enacted by Laws of Utah 2011, Chapter 302
- 41 **59-1-1502**, as enacted by Laws of Utah 2011, Chapter 302
- 42 **59-1-1503**, as enacted by Laws of Utah 2011, Chapter 302
- 43 **59-10-1028**, as enacted by Laws of Utah 2011, Chapter 302
- 44 **59-12-104**, as last amended by Laws of Utah 2011, Chapters 288, 314, 370, and 391
- 45 **59-12-107**, as last amended by Laws of Utah 2009, Chapter 212

46 ENACTS:

- 47 **59-1-1501.1**, Utah Code Annotated 1953
- 48 **59-1-1505**, Utah Code Annotated 1953
- 49 **59-1-1506**, Utah Code Annotated 1953

50 ~~H→ [68-3-15, Utah Code Annotated 1953] ←H~~

51 REPEALS:

- 52 **59-1-1504**, as enacted by Laws of Utah 2011, Chapter 302



54 *Be it enacted by the Legislature of the state of Utah:*

55 Section 1. Section **13-32a-103.5** is amended to read:

56 **13-32a-103.5. Applicability to coin dealers -- Specie legal tender exempt from**

1173 (A) to the purchase price of the tangible personal property, product transferred
 1174 electronically, or service; and

1175 (B) to the tax due under this chapter on the tangible personal property, product
 1176 transferred electronically, or service; and

1177 (ii) to:

1178 (A) interest charges;

1179 (B) service charges; and

1180 (C) other charges.

1181 (h) A seller's certified service provider may make a deduction or claim a refund for bad
 1182 debt on behalf of the seller:

1183 (i) in accordance with this Subsection (9); and

1184 (ii) if the certified service provider credits or refunds the entire amount of the bad debt
 1185 deduction or refund to the seller.

1186 (i) A seller may allocate bad debt among the states that are members of the agreement
 1187 if the seller's books and records support that allocation.

1188 (10) (a) A seller may not, with intent to evade any tax, fail to timely remit the full
 1189 amount of tax required by this chapter.

1190 (b) A violation of this section is punishable as provided in Section 59-1-401.

1191 (c) Each person who fails to pay any tax to the state or any amount of tax required to be
 1192 paid to the state, except amounts determined to be due by the commission under Chapter 1,
 1193 Part 14, Assessment, Collections, and Refunds Act, or Section 59-12-111, within the time
 1194 required by this chapter, or who fails to file any return as required by this chapter, shall pay, in
 1195 addition to the tax, penalties and interest as provided in Section 59-1-401.

1196 (d) For purposes of prosecution under this section, each quarterly tax period in which a
 1197 seller, with intent to evade any tax, collects a tax and fails to timely remit the full amount of the
 1198 tax required to be remitted, constitutes a separate offense.

1199 ~~Ĥ→ [Section 11. Section 68-3-15 is enacted to read:~~
 1200 ~~——— 68-3-15. Construction of certain statutes related to legal tender.~~
 1201 ~~——— A statute may not be construed so as to create a significant impediment to the use of~~
 1202 ~~one form of legal tender over another form of legal tender in a private transaction.] ←Ĥ~~
 1203 Section ~~Ĥ→~~ [12] 11 ~~←Ĥ~~ . Repealer.

1204 This bill repeals:
1205 Section **59-1-1504, Revenue and Taxation Interim Committee study.**
1206 Section ~~H~~→ [13] 12 ←~~H~~ . **Effective date -- Retrospective operation.**
1207 (1) Except as provided in Subsections (2) and (3), this bill takes effect on May 8, 2012.
1208 (2) The amendments to Sections 59-12-104 and 59-12-107 take effect on July 1, 2012.
1209 (3) The amendments to Section 59-10-1028 have retrospective operation for a taxable
1210 year beginning on or after January 1, 2012.